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JUN 03 2008

Attorney's Docket: 2002DE128
Serial No.: 10/526,691
Group: 1796

REMARKS

The Office Action mailed February 13, 2008, has been carefully considered together with the reference cited therein. The amendments and remarks presented herein are believed to be fully responsive to the Office Action. The amendments made herein are fully supported by the application as originally filed. No new matter has been added. Accordingly, reconsideration of the present Application in view of the above amendments and following remarks is respectfully requested.

CLAIM STATUS

Claims 1-19 are pending in this Application. By this Amendment, claims 1 and 8 have been amended. Basis for the amendment can be found *inter alia* on Page 4, lines 12 and 13.

Claim Rejections Under 35 USC § 112, Second Paragraph

Claims 1-19 stand rejected under 35 USC § 112, second paragraph, as being indefinite.

The Office states that "in claim 1, if the concentration of the phosphinic acid salt is 99.9%, there is no room for melamine polyphosphate. In claim 8, if component "A" is present in the concentration of 50% or 80% and component "B" is present in a concentration of 20% or 50%, there is no room for component "C". Recalculation is requested."

Claims 1 and 8 have been amended whereby ratio of component B is now recited as 0-75% by weight. It is respectfully contended that this amendment overcomes the 35 USC § 112, second paragraph rejection.

Double Patenting

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Claims 1-19 stand rejected on the grounds of nonstatutory obvious-type double patenting as being unpatentable over claims 1-30 of US Patent No. 7,255,814.

Attached hereto is a terminal disclaimer against US Patent 7,255,814.

In view of the forgoing amendments and remarks, the present application is believed to be in condition for allowance, and reconsideration of it is requested. If the Examiner disagrees, he is requested to contact the attorney for Applicants at the telephone number provided below.

Respectfully submitted,


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